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EXAMINER
FRENEL, VANEL

ART UNIT	PAPER NUMBER
3626	

DATE MAILED: 09/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/663,363	WONG, YOON KEAN
	Examiner	Art Unit	
	Vanel Frenel	3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>08 August 2006</u>.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-24* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-24* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/8/06

has been entered.

Notice to Applicant

2.   This communication is in response to the RCE filed on 8/8/06. Claims 1, 9, 16

and 21 have been amended. Claims 1-24 are pending.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Goyal et al (5,873,108), Koyabu et al (6,026,333), Conmy et al (6,101,480) in view of

Blasko et al (6,466,928).

(A)   (As per claim 1, Goyal teaches a computer implemented of automating

categorization of data, comprising the steps of:

determining a clock time of day (Goyal; abstract, col. 8, lines 35-38, and col.

11, lines 21-25) on a handheld computer (See Goyal, Col. 1, lines 17-34); determining a

day of a week (See Goyal, Col.7, lines 66-67 to Col.8, line 46);

setting a default data category based upon the time clock of day, the day of

the week and the time of day profile (Goyal; col. 11, lines 21-25).

Goyal fails to explicitly teach used for accessing stored data in the handheld

computer and for storing entered data in the handheld computer at that clock time of

day based on the real-time clock.

However, this feature is known in the art, as evidenced by Koyabu. In particular,

Koyabu teaches used for accessing stored data in a computer and for storing entered

data in the computer at that clock time of day based on the real-time clock (See

Koyabu, Col.3, lines 65-67 to Col.4, line 15).

One of ordinary skill in the art at the time of the invention would have found it

obvious to include the feature of Koyabu within the system of Goyal with the motivation

of providing a computer readable medium which recorded with a computer program

comprising a first step of holding plural pieces of data made to correspond to time (See

Koyabu, Col.2, line 30-33).

In addition, Goyal and Koyabu fail to expressly teach referencing a time of day

profile that correlates clock time of day information and day of week information with

data categories stored on said handheld computer, wherein at least one data category

is associated with a block of time corresponding to two or more days of said week.

However, these features are known in the art, as evidenced by Conmy. In

particular, Conmy teaches referencing a time of day profile that correlates clock time of

day information and day of week information with data categories stored on said

handheld computer, wherein at least one data category is associated with a block of

time corresponding to two or more days of said week (See Conmy, Fig.9; Col.8, lines

48-65; Col.13, lines 6-16).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to have included the features of Conmy within the combined teachings of

Goyal and Koyabu with the motivation of enabling full group scheduling and mobile

capabilities (e.g., via Lotus Domino 4.5), integration with the World Wide Web and

intranets, as well as enhanced information management (See Conmy, Col.2, line 5-

8).

In addition, Goyal, Koyabu and Conmy do not explicitly disclose that the method

having wherein the default data categories includes a business category during

business times in days and a personal category during personal times in days.

However, this feature is known in the art, as evidenced by Blasko. In particular,

Blasko suggests that the method having wherein the default data categories includes a

business category during business times in days and a personal category during

personal times in days (See Blasko, Col.9, lines 63-67 to Col.10, line 8).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to have included the feature of Blasko within the collective teachings Goyal,

Koyabu and Conmy with the motivation of providing an efficient and consistent way to

present information to high level managers whose time may be limited (See Blasko,

Col.1, lines 24-26).

(B)   As per claim 2, Goyal fails to expressly teach wherein the time of day profile

correlates a clock time with at least one of a personal data category and a business

category. However, this feature is old and well known in the art, as evidenced by

Koyabu's teachings with regards to wherein the time of day profile correlates a time with

at least one of a personal data category and a business category (Koyabu; col. 7, lines

35-53). It is respectfully submitted, that it would have been obvious, to one having

ordinary skill in the art at the time the invention was made, to expand the system taught

by Goyal with Koyabu's teaching with regards to this limitation, with the motivation of

associating a time of day with at least one of a related personal data category and a

business category (Koyabu; col. 1, lines 60-col. 2, line 5).

(C)   As per claim 3, Goyal teaches wherein the computer- implemented method is

carried out within a personal information manager program operating on a programmed

processor residing within a palmtop computer (Goyal; col. 3, lines 5060).

(D)   As per claim 4, Goyal teaches displaying only data categorized in the default

data category and hiding information categorized in any other category (Goyal; figure 3

and Col. 11, lines 21-25).

(E)   As per claim 5, Goyal teaches entering data categorized in the default category (Goyal; col. 11, lines 28-31).

(F)   Claims 6 and 7 differ from 5 and 4, respectively, by reciting "providing an option to change the default data category to a selected data category." The combined system of Goyal and Koyabu collectively fail to expressly teach this limitation. However, since the combined system of Goyal and Koyabu collectively do teach providing an option of manually changing data categories (Goyal; col. 8, lines 31-46) the default data category is the initial data category where data can be entered, it is respectfully submitted, that it would have been obvious, to one having ordinary skill in the art at the time the invention was made, to expand the system taught by Goyal and Koyabu to provide an option to change the default data category to a selected data category, with the motivation of enabling the user to specify which data category should the data be entered in.

(G)   As per claim 8, Goyal teaches wherein the data comprises one of address book data, to-do list data, notes data, email data and calendar data (Goyal; col. 2, lines 40-56).

(H)   As per claim 9, Goyal discloses a handheld computer (See Goyal, Col.1, lines 17- 34), comprising the steps of: a programmed processor (See Goyal, Col.3, lines 61-67); a personal information manager program operating on the programmed processor

(See Goyal, Fig.2, Co1.11, lines 21-54); a clock for determining a clock time of day (See

Goyal, Fig.2 (213); Co1.8, lines 39-60); a calendar for determining a day of a week first

program means (See Goyal, Col.9, lines 43-59), and second program means for setting

a default data category for the personal information manager based upon the clock time

of day, the day of the week, and the time of day profile (Goyal; col. 11, lines 21-25).

Goyal fails to explicitly teach used for accessing stored data in the palmtop

computer and for storing entered data in the palmtop computer at that clock time of day.

However, this feature is known in the art, as evidenced by Koyabu. In particular,

Koyabu teaches used for accessing stored data in the palmtop computer and for

storing entered data in the palmtop computer at that clock time of day (See Koyabu,

Co1.3, lines 25-67 to Co1.4, line 27).

One of ordinary skill in the art at the time of the invention would have found it

obvious to include the feature of Koyabu within the system of Goyal with the motivation

of providing a computer readable medium which recorded with a computer program

comprising a first step of holding plural pieces of data made to correspond to time (See

Koyabu, Col.2, line 30-33).

In addition, Goyal and Koyabu do not explicitly disclose referencing a time of

day profile that correlates clock time of day information and day of week information

with data categories, wherein at least one data category is associated with a block of

time corresponding to two or more days of said week.

However, these features are known in the art, as evidenced by Conmy. In

particular, Conmy teaches referencing a time of day profile that correlates clock time of

day information and day of week information with data categories, wherein at least one

data category is associated with a block of time corresponding to two or more days of

said week (See Conmy, Fig.9; Col.8, lines 48-65; Col.13, lines 6-16).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to have included the features of Conmy within the combined teachings of

Goyal and Koyabu with the motivation of enabling full group scheduling and mobile

capabilities (e.g., via Lotus Domino 4.5), integration with the World Wide Web and

intranets, as well as enhanced information management (See Conmy, Col.2, line 5-8).

In addition, Goyal, Koyabu and Conmy do not explicitly disclose that the handheld

having wherein the default category is set to differentiate between business and

personal hours of the day.

However, this feature is known in the art, as evidenced by Blasko. In particular,

Blasko suggests that the handheld having wherein the default category is set to

differentiate between business and personal hours of the day (See Blasko, Col.9, lines

63-67 to Col.10, line 8).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to have included the feature of Blasko within the collective teachings Goyal,

Koyabu and Conmy with the motivation of providing an efficient and consistent way to

present information to high level managers whose time may be limited (See Blasko,

Col.1, lines 24-26).

(I)   Apparatus claims 10-15 repeat the subject matter of method claims 1, 2 and 4-8,

respectively as a set of apparatus elements rather than a series of steps. As the

underlying processes of claims 1,2, and 4-8 have been shown to be fully disclosed by

the teachings of Goyal, Koyabu and Conmy above in the rejection of claims 1,2, and

4-8, it is readily apparent that the system disclosed by Goyal, Koyabu and Conmy

include the apparatus to perform these functions. As such, these limitations are rejected

for the same reasons given above for method claims 1,2, and 4-8, and incorporated

herein.

(J)   As per claim 16, Goyal discloses an electronic storage medium containing

     instructions, which when carried out on a programmed processor, carry out the steps

of:

     determining a clock time of day (Goyal; abstract, col. 8, lines 35-38, and col. 11,

lines 21-25) on a palmtop computer (See Goyal, Col. 1, lines 17-34); determining a day

of a week (See Goyal, Co1.7, lines 66-67 to Col.8, line 46); setting a default data

category based upon the time clock of day, the day of the week and the time of day

profile (Goyal; col. 11, lines 21-25).

     Goyal fails to explicitly teach used for accessing stored data in the programmed

processor and for storing entered data in the programmed processor at that clock time

of day.

     However, this feature is known in the art, as evidenced by Koyabu. In

particular, Koyabu teaches used for accessing stored data in the programmed

processor and for storing entered data in the programmed processor at that clock time

of day (See Koyabu, Co1.3, lines 65-67 to Co1.4, line 15).

One of ordinary skill in the art at the time of the invention would have found it

obvious to include the feature of Koyabu within the system of Goyal with the motivation

of providing a computer readable medium which recorded with a computer program

comprising a first step of holding plural pieces of data made to correspond to time (See

Koyabu, Col.2, line 30-33).

In addition, Goyal and Koyabu do not explicitly teach referencing a time of day

profile that correlates clock time of day information and day of week information with

data categories on said palmtop computer, wherein at least one data category is

associated with a block of time corresponding to two or more days of said week.

However, these features are known in the art, as evidenced by Conmy. In

particular, Conmy teaches referencing a time of day profile that correlates clock time of

day information and day of week information with data categories on said palmtop

computer, wherein at least one data category is associated with a block of time

corresponding to two or more days of said week (See Conmy, Fig.9; Co1.8, lines 48-

65; Co1.13, lines 6-16).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to have included the features of Conmy within the combined teachings of

Goyal and Koyabu with the motivation of enabling full group scheduling and mobile

capabilities (e.g., via Lotus Domino 4.5), integration with the World Wide Web and

intranets, as well as enhanced information management (See Conmy, Co1.2, line 5- 8).

Goyal, Koyabu and Conmy do not explicitly disclose that the electronic storage medium having wherein the default data category establishes differences between business and personal hours of the day.

However, this feature is known in the art, as evidenced by Blasko. In particular, Blasko suggests that the electronic storage medium having wherein the default data category establishes differences between business and personal hours of the day (See Blasko, Col.9, lines 63-67 to Col.10, line 8).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Blasko within the collective teachings Goyal, Koyabu and Conmy with the motivation of providing an efficient and consistent way to present information to high level managers whose time may be limited (See Blasko, Col.1, lines 24-26).

(K)   Claims 17-20 differs from claims 1,2 and 8, 3, 6, 7, and by reciting the electronic storage medium. As per this limitation, Goyal system is implemented on a computer (See Goyal, Col.3, lines 50-60). As such, Goyal implicitly includes computer elements such as a programmed computer readable-medium. The remainder of claims 17-20 repeat the limitations of claims 1-3 and 6-8, and are therefore rejected for the same reasons given above for claims 1-3 and 6-8.

(L)   As per claim 21, Goyal discloses a computer- implemented method of

automating categorization of data, comprising the steps of: determining a current time

of day (Co1.8, lines 35-38; Col.11, lines 21-25)on a palmtop computer (See Goyal, Col.

1, lines 17- 34); determining a day of a week (See Goyal, Co1.7, lines 66-67 to Co1.8,

line 46);

setting a default data category based upon said current time of day, the day of the

week, and said time of day profile (Goyal, Co1.11, lines 21-25).

Goyal fails to teach performing actions only within said default data category in a

computer at that clock time of day.

However, this feature is known in the art, as evidenced by Koyabu. In particular,

Koyabu teaches performing actions only within said default data category in a computer

at that clock time of day (See Koyabu, Co1.3, lines 65-67 to Col.4, line 15).

One of ordinary skill in the art at the time of the invention would have found it

obvious to include the feature of Koyabu within the system of Goyal with the motivation

of providing a computer readable medium which recorded with a computer

program comprising a first step of holding plural pieces of data made to correspond to

time (See Koyabu, Col.2, line 30-33).

In addition, Goyal, Koyabu and Conmy do not explicitly teach referencing a time

of day profile that correlates clock time of day information and day of week information

with data categories on said palmtop computer, wherein at least one data category is

associated with a block of time corresponding to two or more days of said week.

However, these features are known in the art, as evidenced by Conmy. In

particular, Conmy teaches referencing a time of day profile that correlates clock time of

day information and day of week information with data categories on said palmtop

computer, wherein at least one data category is associated with a block of time

corresponding to two or more days of said week (See Conmy, Fig.9; Col.8, lines 48-

65; Col.13, lines 6-16).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to have included the features of Conmy within the combined teachings of

Goyal, Koyabu and Young with the motivation of enabling full group scheduling

and mobile capabilities (e.g., via Lotus Domino 4.5), integration with the World Wide

Web and intranets, as well as enhanced information management (See Conmy, Col.2,

line 5- 8).

(M)   As per claim 22, Goyal discloses the method wherein actions is taken from a list

consisting of: creating a data entry (Col.3, lines 50-67 to Col.4, line 32); editing a

previously created data entry (Col.7, lines 31-67); retrieving said previously created

data entry (Col.7, lines 31-67); displaying data in said previously created data entry

(Col.4,lines 47-64); and querying said default data category (Col.9, lines 43-67 to

Col.10, line 24).

(N)   As per claim 23; Goyal discloses the method wherein said current time of

daycomprises: current time information (Col.4, lines 41o64); current day of the week

information (Col .4, lines 41-67 to Col .5, lines 49-67); current month of the of the year

information (Co1.4, lines 41-67 to Col.5, lines 49-67); and current year informatio (Col.4, lines 41-67 to Co1.5, lines 49-67).

(O)   As per claim 24, Goyal discloses the method further comprising: changing said default data category to another data category for performing actions only within said another data category (Co1.5, lines 49-67 to Co1.6, line26).

Response to Arguments

5.   Applicant's arguments filed 8/8/06 have been fully considered but they are not persuasive. Applicant's arguments will be addressed hereinbelow in the order in which they appear in the response filed 8/8/06.

(A)   At pages 8-12 of the 8/8//06 response, Applicant argues that the newly added features in the 8/8/06 amendment are not taught or suggested by the applied references.

In response, all of the limitations which Applicant disputes as missing in the applied references, including the features newly added in the 8/8/06 amendment, have been fully addressed by the Examiner as either being fully disclosed or obvious in view of the collective teachings of Goyal, Koyabu, Conmy and Blasko, based on the logic and sound scientific reasoning of one ordinarily skilled in the art at the time of the invention, as detailed in the remarks and explanations given in the preceding sections of the present Office Action and in the prior Office Action, and incorporated herein. One cannot show nonobviousness by attacking references individually where the rejections

are based on combinations of references. See In re Keller, 642 F.2d 413, 208 USPQ

871 (CCPA 1981); In re Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In addition, the test for obviousness is not whether the features of a secondary

reference may be bodily incorporated into the structure of the primary reference; nor is it

that the claimed invention must be expressly suggested in any one or all of the

references. Rather, the test is what the combined teachings of the references would

have suggested to those of ordinary skill in the art. See In re Keller, 642 F.2d 413, 208

USPQ 871 (CCPA 1981).

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. The cited but not the applied art teaches object synchronization

between objects stores on different computers (6,633,924).

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Vanel Frenel whose telephone number is 571-272-6769.

The examiner can normally be reached on 6:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph Thomas can be reached on 571-272-6776. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

V. F
V.F

Carolyn Bleck
Patent Examiner
9/5/06

September 3, 2006